IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5620 of 1986

For Approval and Signature:

HONOURABLE MR.JUSTICE K.A.PUJ

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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MULAJI DEVAJI MARU - Petitioner
Versus
STATE OF GUJARAT & 1 - Respondents

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Appearance :
MR ND NANAVATI for Petitioner.
MR LB DABHI, AGP for Respondents.

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CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 12/01/2006

ORAL JUDGMENT

1.The petitioner has filed this petition under Article 226 of the Constitution of India seeking direction to the respondents to give benefit of reservation and roster policy to the petitioner and the petitioner may be treated as promoted to the post of Deputy Mamlatdar with effect from 01.01.1976 on point No. 32 as per Annexure B to this petition for all purposes and he may be treated as Deputy Mamlatdar promoted with effect from 01.01.1976. The petitioner has also prayed for the direction to the respondents not to revert the petitioner from the post of Deputy Mamlatdar to the post of Clerk or any other post. The petitioner has also prayed for quashing and setting aside the order of reversion passed by respondent No. 2 dated 06.10.1986.

2.The petition was admitted on 04.04.1986. However, no interim relief was granted. After

filing of the petition, the petitioner expired on 25.06.1992. Mr. L.B. Dabhi, learned Assistant Government Pleader appearing for the respondents has placed on record a letter dated 18.12.2005 written by the Additional Collector, Kutch to him along with which death certificate of the petitioner is also annexed. The petitioner has expired in 1992. More than 13 years have passed and yet the legal heirs of the petitioner are not brought on record. No application is moved. The petition is, therefore, abated. The petition is accordingly disposed of as having been abated.. Rule discharged without any order as to costs. Liberty to move in case of difficulty or if the need so arises in future.

[K.A. PUJ, J.]

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